REMARKS

The Examiner has required Applicant to elect a set of claims for prosecution on the merits under 35 U.S.C. 121. The Examiner has directed that the election be made between the following claims that the Examiner has determined to be patentably distinct:

I. Claims 2-5, 12-15, 27, 30, 32, 34-37, 41-44 and 47 drawn to a method of network resources access controlling, classified in class 709, subclass 224, 229;

II. Claims 6-10, 16-26, 28-29, 31, 38-39 and 45-46 drawn a method network management and configuring, classified in class 709, subclass 220, 223.

Applicant elects claim set I, with traverse. Therefore, Applicant withdraws claims 6-10, 16-26, 28-29, 31, 38-39 and 45-46 drawn a method network management and configuring, classified in class 709, subclass 220,223 from consideration.

37 CFR 1.141 states:

> Two or more independent and distinct inventions may not be claimed in one national application, except that more than one species of an invention, not to exceed a reasonable number, may be specifically claimed in different claims in one national application, provided the application also includes an allowable claim generic to all the claimed species and all the claims to species in excess of one are written in dependent form or otherwise include all the limitations of the generic claim.

37 CFR 1.146 states:

> In the first action on an application containing a generic claim to a generic invention (genus) and claims to more than one patentably distinct species embraced thereby, the examiner may require the applicant in the reply to that action to elect a species of his or her invention to which his or her claim will be restricted if no claim to the genus is found to be allowable. However, if such application contains claims directed to more than a reasonable number of species, the

examiner may require restriction of the claims to not more than a reasonable number of species before taking further action in the application.

As stated in the MPEP §809.02, under 37 CFR 1.141, an allowed generic claim may link a reasonable number of species embraced thereby. The practice as stated in 37 CFR 1.146, provides that if the application contains claims directed *to more than a reasonable number of species*, the examiner may require restriction of the claims to not more than a reasonable number of species before taking further action in the application.

The Examiner has not determined that the two species claimed by Applicant is more than a reasonable number of species. Indeed, Applicant respectfully asserts that two species is a reasonable number or the rule would have otherwise addressed the situation as being applicable whenever there is more than one species rather than more than a reasonable number of species. The Examiner has not determined that there would be an extraordinary amount of effort required to examine both of these species, further enforcing Applicant's contention that the number of species is reasonable to expect a full examination of the submitted claims.

Therefore, because Applicant claims only two species, Applicant respectfully asserts that this is a reasonable number of species and that examination of both species would not cause an extraordinary workload on the Examiner. Reconsideration and withdrawal of the restriction requirement is respectfully requested.

Respectfully submitted,

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